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IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplication of: Paul ADAMS *et al.*

Group Art Unit: 3751

Application No.: 10/725,264

Examiner: Steven O. DOUGLAS

Filed: December 1, 2003

Attorney Docket No.: BIC-019

For: METHOD AND APPARATUS FOR FILLING A FUEL CONTAINER

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Election of Species Requirement mailed on January 24, 2005, Applicant elects Species III including claims 13, 25-29, 33, 34, 47 and 48. This election is without traverse. Applicant respectfully reserves the right to file divisional applications directed to non-elected claims.

Furthermore, Applicant asserts that elected claim 13 is generic to at least Species III, IV, V, and VI. The claims related to these Species are 13-36, 47 and 48. The features claimed in generic claim 13 is clearly applicable to all of these Species, as is evidenced by the figures themselves and the associated statements in the detailed description section of the application and in the structure, i.e., the dependencies, of the claims as filed. In other words, Applicants have clearly intended that these claimed features apply to all of Species III, IV, V, and VI. As such, Applicants respectfully reserve the right to have the claims readable on the non-elected Species IV, V, and VI considered in this application should claim 13 be allowable.

In light of the preceding, Applicant believes that the presently pending claims are in condition for allowance, early notice of which would be greatly appreciated. The Examiner is invited to telephone the undersigned attorney of record if he believes that such a call would materially advance the prosecution and eventual allowance of the present application.

Applicant believes that no fees are due in connection with the submission of this Response and Preliminary Amendment. If any other fee is due, the Commissioner may charge appropriate fees to H.T. Than Law Group, Deposit Account No. 50-1980.

Respectfully submitted,

Date March 24, 2005

George R. Nakeling, Jr., Reg. No. 49,765
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